

CITY OF MUSKEGON

CITY COMMISSION MEETING

FEBRUARY 8, 2011

CITY COMMISSION CHAMBERS @ 5:30 P.M.

MINUTES

The Regular Commission Meeting of the City of Muskegon was held at City Hall, 933 Terrace Street, Muskegon, MI at 5:30 p.m., Tuesday, February 8, 2011.

Vice Mayor Gawron opened the meeting with a prayer from Pastor Josh Dear from the Lakeside Baptist Church after which the Commission and public recited the Pledge of Allegiance to the Flag.

ROLL CALL FOR THE REGULAR COMMISSION MEETING:

Present: Vice Mayor Stephen Gawron, Commissioners Clara Shepherd, Lawrence Spataro, Sue Wierengo, Steve Wisneski, and Chris Carter, City Manager Bryon Mazade, City Attorney John Schrier, and City Clerk Ann Marie Becker.

Absent: Mayor Stephen Warmington (excused)

2011-08 CONSENT AGENDA:

A. Approval of Minutes. CITY CLERK

SUMMARY OF REQUEST: To approve the minutes of the Commission Goal Setting Session that was held on Friday, January 21, 2011, and the City Commission Meeting that was held on Tuesday, January 25, 2011.

FINANCIAL IMPACT: None.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: Approval of the minutes.

B. Purchase of Police Patrol Bicycles. PUBLIC SAFETY

SUMMARY OF REQUEST: The Director of Public Safety is requesting permission to purchase 12 new police patrol bicycles. These bicycles will replace 12 Trek Police Bicycles that are currently in use and were purchased in the late 90's. Bids were solicited from the following businesses:

- The Bicycle Rack – 1790 Roberts, Muskegon
- Breakaway Bicycle – 4741 Harvey, Muskegon
- Village Bike & Fitness – 450 Baldwin, Jenison

I am recommending the purchase of the Trek Police Bike from Breakaway Bicycle. Breakaway is the only business who submitted a bid for the Trek. While this is the most expensive model of those bid (\$1,000 per bicycle), this bicycle is built specifically for the rigors of police service. This is evidenced by the length of time that the current bicycles have been in service. This bicycle is complete and no "extras" need to be purchased.

FINANCIAL IMPACT: Total cost for this purchase will be approximately \$12,000. This purchase will be funded by the Criminal Forfeiture Account.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: Staff recommends approval of the request.

C. Approval of the Fair Housing Resolution. COMMUNITY & NEIGHBORHOOD SERVICES

SUMMARY OF REQUEST: The Community and Neighborhood Services Department is requesting that a resolution be adopted for the City of Muskegon for all MSHDA NSP1, CDBG, LEAD and HOME Investment Act Program activities.

FINANCIAL IMPACT: None.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: As an Equal Housing Opportunity participant jurisdiction, the City of Muskegon supports Fair Housing Law and Title VIII of the Civil Rights Act of 1968. We are requesting to approve the authorizing resolution and direct the Mayor and Clerk to sign the resolution.

D. Approval of Sale of City-Owned Property at 1585 Hudson. COMMUNITY & NEIGHBORHOOD SERVICES

SUMMARY OF REQUEST: To approve the resolution and instruct the Community and Neighborhood Services department to complete the sales transaction between Ms. Suzanne Hershey for the vacant property at 1585 Hudson, which is part of the City's Neighborhood Stabilization Program through the Michigan State Housing Development Authority Office of Community Development. This is a non-buildable lot. Ms. Hershey is the adjacent property owner to 1585 Hudson.

As a part of the City's continuous neighborhood redevelopment efforts, 1585 Hudson was purchased and demolished with Neighborhood Stabilization Program funds as a blighted structure.

FINANCIAL IMPACT: None.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: To approve the resolution and direct the CNS staff to complete the sale.

E. Control System Annual Software Update/Support. WATER FILTRATION

SUMMARY OF REQUEST: Renewal of the annual customer support for plant

operating system with Wonderware North.

FINANCIAL IMPACT: One time cost of \$11,385 for 2011.

BUDGET ACTION REQUIRED: None, this item is budgeted.

STAFF RECOMMENDATION: Staff requests authorization to renew the annual customer support agreement at a budgeted cost of \$11,385.00 for 2011.

F. Accept Resignation and Make Appointments to Various Boards and Committees. CITY CLERK

SUMMARY OF REQUEST: To accept the resignation from Kristy Weberg from the Equal Opportunity Committee, appoint Carlos Flores to the Citizen's Police Review Board, and appoint Jonathan Rolewicz to the Housing Code Board of Appeals.

FINANCIAL IMPACT: None.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: Approval

COMMITTEE RECOMMENDATION: The Community Relations Committee recommended approval at their February 7th meeting.

Motion by Commissioner Carter, second by Commissioner Spataro to approve the Consent Agenda as read.

ROLL VOTE: Ayes: Wisneski, Carter, Gawron, Shepherd, Spataro, and Wierengo

Nays: None

MOTION PASSES

2011-09 NEW BUSINESS:

A. Application for Special License (Liquor Control Commission). PUBLIC SAFETY

SUMMARY OF REQUEST: The Muskegon Catholic Education Foundation, Inc. has submitted an application for a Special License for Beer, Wine and Spirits for Consumption on the Premises for April 30, 2011. This license is for an auction and dinner to be held at Muskegon Catholic Central High School.

The Foundation meets all of the requirements for the special license with the exception of the request for "spirits". Commission policy dictates that any special license request which includes spirits must be considered and approved by the body.

FINANCIAL IMPACT: None.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: Approval of the request.

Motion by Commissioner Spataro, second by Commissioner Wierengo to

approve the application for special license for the event at Muskegon Catholic Central High School.

ROLL VOTE: Ayes: Spataro, Wierengo, Wisneski, Carter, Gawron, and Shepherd

Nays: None

MOTION PASSES

B. Consideration of Bids for Isabella Avenue, Peck to Terrace (\$-654 and W-724). ENGINEERING

SUMMARY OF REQUEST: Award the construction contract to replace water and sewer lines in Isabella Avenue from Peck Street to Terrace Street to McCormick Sand Inc., out of Twin Lake, MI. McCormick Sand is the lowest responsible bidder for this project with a total bid price of \$374,698.20.

While completing the Bid Tabulation for this project, it was discovered that McCormick transposed the bid price on two line items. Line items numbered four (4) and five (5) had their bid prices transposed thus making their Bid Tabulation appear higher than the amount bid. Staff and contractor discussed and corrected the miscalculation, and it was determined that McCormick remained the lowest responsible bidder.

FINANCIAL IMPACT: The construction cost of \$374,698.20 plus engineering cost which is estimated at an additional 15%.

BUDGET ACTION REQUIRED: None at this time as this project appears on the 2010 – 2011 budget.

STAFF RECOMMENDATION: Award the contract to McCormick Sand Inc.

Motion by Commissioner Spataro, second by Commissioner Wierengo to approve the bid for Isabella Avenue from Peck to Terrace to McCormick Sand Inc.

ROLL VOTE: Ayes: Carter, Gawron, Shepherd, Spataro, Wierengo, and Wisneski

Nays: None

MOTION PASSES

ADJOURNMENT: The City Commission Meeting adjourned at 5:40 p.m.

Respectfully submitted,

Ann Marie Becker, MMC
City Clerk